

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Legal Division

San Francisco, California  
Date: December 5, 2019  
Resolution No. L-598

**RESOLUTION**

**RESOLUTION ON THE COMMISSION'S OWN MOTION TO  
RATIFY THE EXECUTIVE DIRECTOR'S DIRECTIVES: (1) TO  
PROVIDE MEDICAL BASELINE INFORMATION TO  
COUNTY AND TRIBAL GOVERNMENT EMERGENCY  
RESPONSE PERSONNEL, AND (2) TO SHARE WITH  
COUNTY AND TRIBAL GOVERNMENTS PUBLIC SAFETY  
POWER SHUTOFF (PSPS) AFFECTED ADDRESSES**

**SUMMARY**

This resolution is issued to ratify the Executive Director's letters, dated: October 8, 2019, and October 23, 2019. The October 8 letter authorized Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E) to provide, upon request, medical baseline information to county and tribal government emergency response personnel. The October 23 letter authorized these utilities to share with county or tribal governments, upon the county or tribal government's request, the addresses within their jurisdiction that are or will be impacted by current and future PSPS events.

In order to promote the health and safety of medical baseline customers throughout California, electric investor-owned utilities are authorized to share medical baseline information, upon request and on a confidential basis, with county and tribal government emergency response personnel, when a PSPS protocol is initiated. Further, in order to promote the health and safety of the residents of California, the electric investor-owned utilities are authorized to share with county or tribal governments, upon the county or tribal government's request, the addresses within their jurisdiction that are or will be impacted by planned or announced PSPS events, on a confidential basis.

These directives are effective immediately.

**BACKGROUND**

On October 8, 2019, Executive Director Alice Stebbins sent PG&E, SCE and SDG&E a letter authorizing those companies “to provide medical baseline information to county and tribal government emergency response personnel when a PSPS protocol is initiated until further notice.” As noted in the letter, the Commission had already determined that “[i]t is essential to identify customers dependent upon life-sustaining medical equipment that requires electricity so that the electric investor-owned utilities and public safety partners can assist those customers in advance of and during a de-energization and re-energization event.” D.19-05-042 at p. 117 (Finding of Fact 14). The letter further provided that the information would be provided on “a confidential basis ... for the sole purpose of protecting the safety and welfare of those customers.”

On October 9, 2019, the letter was served on the service lists of R.18-12-005 (Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions) and R.18-10-007 (Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901 (2018)).

On October 23, 2019, an additional letter was sent to PG&E, SCE and SDG&E, authorizing those companies to share with county or tribal governments, upon the county or tribal government’s request, the addresses within their jurisdiction that are or will be impacted by current and future PSPS events. The October 23 letter noted the imprecision of “polygon” maps and provided that “[t]he data will be shared solely for the purpose of allowing a county or tribal government to identify with particularity the areas and addresses within the scope of a PSPS event. The data shall not be shared or used for any other purpose.”

On October 24, 2019, the October 23 letter was served on the service lists of R.18-12-005 (Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions) and R.18-10-007 (Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901 (2018)).

These directives were issued in the context of widespread PSPS events in California. As the October 8 letter noted, the Commission is “concerned about the health and welfare of the residents of California” during such a PSPS event. The emergent circumstances warranted the “immediate order to share this potentially lifesaving information.”

The October 8 letter cited Commission Policy CL-1, which provided that the Executive Director should act expeditiously, in coordination with other agencies, during emergencies that endanger public safety. Both letters further provided that ratification of the actions directed therein would be sought at a future Commission meeting.

**DISCUSSION**

The purpose of this resolution is to ratify the October 8 letter and the October 23 letter.

Regarding the October 8 letter, the Commission has already issued guidance to the utilities regarding medical baseline customers in the context of PSPS. For example, the Commission has provided that “[i]n advance of the 2019 wildfire season, the electric investor-owned utilities should seek to identify and expand registration under their medical baseline tariffs.” D.19-05-042, Appendix A, at pp. A12-A13. Further, “[t]he electric investor-owned utilities must update contact information for medical baseline customers and provide an opportunity for such customers to select alternative means of contact beyond their preferred means of contact from the utility for billing and other information.” D.19-05-042, Appendix A, at pp. A13-A14. Moreover, “[a]dvanced provision of GIS data to local jurisdictions, including the location of non-confidential critical facilities and infrastructure, circuit maps and number of medical baseline customers, will facilitate preparation for future de-energization events.” D.19-05-042 at p. 121 (Finding of Fact 43).

Thus, in order to promote the safety of medical baseline customers throughout California, electric investor-owned utilities are authorized to share medical baseline information with county and tribal government emergency response personnel, upon the county or tribal government’s request, when a PSPS protocol is initiated. The utilities should provide the information on a confidential basis and it is not to be used for any other purpose than protecting the safety and welfare of the medical baseline customers.

Regarding the October 23 letter, the Commission has already provided as an “overarching guideline” for PSPS that “[d]eploying de-energization requires a coordinated effort across multiple state and local jurisdictions and agencies. Coordination in preparation for de-energization is a shared responsibility between the electric investor-owned utilities, public safety partners, and local governments[.]” D.19-05-042, Appendix A, at p. A2. Further, “[t]he electric investor-owned utilities must work with local jurisdictions to leverage all means of identifying and communicating with all people within a de-energized area[.]” D.19-05-042, Appendix A, at p. A14.

Thus, in order to promote the safety of all Californians, electric investor-owned utilities are authorized to share with county or tribal governments, upon the county or tribal government’s request, the addresses within their jurisdiction that are or will be impacted by planned or announced PSPS events. This data is to be shared solely for the purpose of allowing a county or tribal government to identify with particularity the areas and addresses within the scope of a PSPS event, and shall not be shared or used for any other purpose.

Given the utilities' responsibility to promote health and safety, this resolution provides directives regarding the expected cooperation with local governments and agencies, in the context of PSPS. The utilities should also continue any on-going efforts to enter into nondisclosure agreements with counties and tribal governments and conclude those efforts in a timely manner. This resolution does not predetermine any issues in open proceedings.

### **COMMENTS ON RESOLUTION**

In accordance with the California Public Utilities Code § 311(g)(1) this resolution was made available to all parties on the service lists for R.18-12-005, R.18-10-007, and R.18-03-011, on November 5, 2019. Comments were filed on November 25, 2019 by the Counties of Kern, Marin, Mendocino, Napa, San Luis Obispo, Santa Barbara, and Sonoma and the City of Santa Rosa (Joint Local Governments), and Southern California Edison Company (SCE).

The Joint Local Governments are supportive of this resolution and acknowledge "the Commission's fast and decisive action." The Joint Local Governments also propose modifying the resolution to including cities within the identified categories of government entities. They point to increased efficiency in responding to PSPS events, if cities would be so included.

The Joint Local Governments also address the issue of confidentiality. As to the long-term, they assert that "the current practice of utilities giving local governments medical baseline and impacted customer information is not a viable long-term solution to the public safety issues created by de-energization."

SCE supports this resolution, stating that:

SCE is pleased that the Draft Resolution provides clear direction on providing address and medical baseline information to county and tribal governments. SCE is committed to executing any necessary PSPS events so it minimizes impact to CA residents, and the directives in the Draft Resolution will help SCE continue to do so.

SCE recommends clarifying the language regarding future PSPS events. SCE asserts that it "has no way to predict which addresses will be affected by future PSPS events and cannot provide the jurisdiction with specific address information ahead of a PSPS event." SCE advises that "the best information SCE can provide would be those customer addresses within the county or tribal government jurisdiction that are also located in a high fire risk area (HFRA), as that area would be most likely to be affected by a future PSPS event."

Regarding the comments of the Joint Local Governments, we acknowledge that developing long-term solutions to the problems raised by PSPS will require additional vetting. We also understand the urgent need to develop solutions for PSPS events. Considering that the purpose of this resolution is to ratify the October 8 and October 23 letters, we are not changing the direction given to the utilities regarding the identified categories of government entities. Discussion of such provisions may be sought by parties in ongoing CPUC proceedings focused on PSPS, such as R.18-12-005.

Regarding the comments of SCE, the directive is intended to apply when there is a planned or announced PSPS event. In that situation, utilities should be able to provide the addresses that would be affected. A clarifying revision to the draft resolution has been made to address this point.

### **FINDINGS AND CONCLUSIONS**

1. On October 8, 2019, Executive Director Alice Stebbins sent PG&E, SCE and SDG&E a letter authorizing those companies “to provide medical baseline information to county and tribal government emergency response personnel when a PSPS protocol is initiated until further notice.”
2. The October 8 letter further provided that the information would be provided on “a confidential basis ... for the sole purpose of protecting the safety and welfare of those customers.”
3. On October 9, 2019, the October 8 letter was served on the service lists of R.18-12-005 and R.18-10-007.
4. On October 23, 2019, an additional letter was sent to PG&E, SCE and SDG&E, authorizing those companies to share with county or tribal governments, upon the county or tribal government’s request, the addresses within their jurisdiction that are or will be impacted by current and future PSPS events.
5. The October 23 letter further provided that “[t]he data will be shared solely for the purpose of allowing a county or tribal government to identify with particularity the areas and addresses within the scope of a PSPS event. The data shall not be shared or used for any other purpose.”
6. On October 24, 2019, the October 23 letter was served on the service lists of R.18-12-005 and R.18-10-007.
7. The letters were issued in the context of widespread PSPS events in California.

8. In order to promote the health and safety of Californians, it is reasonable to ratify the October 8 and the October 23 letters.
9. The Commission issues the directives in this resolution pursuant to its plenary and broad powers under the California Constitution and Public Utilities Code sections 451 and 701.

**ORDER:**

1. The electric investor-owned utilities are authorized to share medical baseline information with county and tribal government emergency response personnel, upon the county or tribal government's request, when a PSPS protocol is initiated.
2. The electric investor-owned utilities should provide medical baseline information on a confidential basis, and it is not to be used for any other purpose than protecting the safety and welfare of the medical baseline customers.
3. The electric investor-owned utilities are authorized to share with county or tribal governments, upon the county or tribal government's request, the addresses within their jurisdiction that are or will be impacted by planned or announced PSPS events.
4. The address data is to be shared solely for the purpose of allowing a county or tribal government to identify with particularity the areas and addresses within the scope of a PSPS event and shall not be shared or used for any other purpose.
5. The effective date of this order is today.

I certify that this resolution was adopted by the California Public Utilities Commission at its regular meeting of December 5, 2019, and that the following Commissioners approved it:

/s/ ALICE STEBBINS

---

ALICE STEBBINS  
Executive Director

MARYBEL BATJER  
President  
LIANE M. RANDOLPH  
MARTHA GUZMAN ACEVES  
CLIFFORD RECHTSCHAFFEN  
GENEVIEVE SHIROMA  
Commissioners